IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 1516 of 2005

Between:

Annem Ramatholisamma, W/o. A. Nageswara Reddy,
R/o. Devarayapuram Village, Allagadda Mandal, Kurnool District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Allagadda, Kurnool District.
2 K. Ramalakshmamma, W/o. K. Venkateswarlu,
Devarayapuram Village, Allagadda Mandal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more in the nature of Writ of Mandamus declaring action of the 1st respondent in issuing the impugned proceedings vide Rc.C.No. 338/2004, dated 28-12-2004 terminating the agency of petitioner in respect of preparation of mid-day meals in the Primary School, Devarayapuram Village, Allagadda Mandal, Kurnool District without issuing any show cause notice or opportunity as arbitrary illegal and violation of principles of natural justice in the interest of justice.

Counsel for the Petitioner: MR.P.NAGENDRA REDDY

Counsel for the Respondent No.1: GP FOR REVENUE

Counsel for the Respondent No.2 : None appeared

The Court, at the stage of admission, made the following :

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ORDER:

The petitioner has been appointed as a mid-day meals agent in respect of the primary school, Devarayapuram village, Allagadda Mandal.

This writ petition is filed seeking a declaration that the proceedings of the first respondent-Mandal Revenue Officer, Allagadda, Kurnool District dated 28.12.2004 terminating the agency of the petitioner on the ground of certain alleged irregularities committed by her is illegal and arbitrary.

At the outset it is to be noted that under the guidelines issued in G.O.Ms.No.94 dated 25.11.2003, an alternative remedy is available against the impugned order by way of appeal before the Joint Collector, who is the monitoring authority for processing the selection of implementing agencies in the entire district. Without exhausting the said alternative remedy, the petitioner cannot maintain this writ petition.

Accordingly, the writ petition is disposed of granting leave and liberty to the petitioner to prefer an appeal before the Joint Collector, Kurnool District within a period of two weeks from today, in which event, the same shall be considered and disposed of in accordance with law. However, having regard to the assertion of the petitioner that she is being continued as a mid-day meals agent as on today, there shall be a direction to the first respondent not to implement the impugned order for a period of two weeks. No costs.

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03.02.2005

Note: Furnish C.C., in three days.

(B/O)

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To

1 The Mandal Revenue Officer,

Allagadda, Kurnool District.

2 Two CCs to G.P. for Revenue, High Court of A.P.,

Hyderabad (OUT).

3 Two CD copies.

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